



Substitute House Bill No. 5219

Public Act No. 18-20

AN ACT ALLOWING APPLICANTS FOR SECURITY OFFICER LICENSES TO WORK AS SECURITY OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 29-161q of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) Any security service or business may employ as many security officers as such security service or business deems necessary for the conduct of the business, provided such security officers are of good moral character and at least eighteen years of age.

(b) No person hired or otherwise engaged to perform work as a security officer, as defined in section 29-152u, shall perform the duties of a security officer prior to being licensed as a security officer by the Commissioner of Emergency Services and Public Protection, except as provided in subsection (h) of this section. Each applicant for a license shall complete a minimum of eight hours training in the following areas: Basic first aid, search and seizure laws and regulations, use of force, basic criminal justice and public safety issues. The commissioner shall waive such training for any person who, [(A)] while serving in the armed forces or the National Guard, or [(B)] if such person is a

Substitute House Bill No. 5219

veteran, within two years of such person's discharge from the armed forces, presents proof that such person has completed military training that is equivalent to the training required by this subsection, and, if applicable, such person's military discharge document or a certified copy thereof. For the purposes of this subsection, "veteran" means any person who was discharged or released under conditions other than dishonorable from active service in the armed forces, "armed forces" has the same meaning as provided in section 27-103, and "military discharge document" has the same meaning as provided in section 1-219. The training shall be approved by the commissioner in accordance with regulations adopted pursuant to section 29-161x.

(1) On and after October 1, 2008, no person or employee of an association, corporation or partnership shall conduct such training without the approval of the commissioner except as provided in subdivision (2) of this subsection. Application for such approval shall be submitted on forms prescribed by the commissioner and accompanied by a fee of forty dollars. Such application shall be made under oath and shall contain the applicant's name, address, date and place of birth, employment for the previous five years, education or training in the subjects required to be taught under this subsection, any convictions for violations of the law and such other information as the commissioner may require by regulation adopted pursuant to section 29-161x to properly investigate the character, competency and integrity of the applicant. No person shall be approved as an instructor for such training who has been convicted of a felony, a sexual offense or a crime of moral turpitude or who has been denied approval as a security service licensee, a security officer or instructor in the security industry by any licensing authority, or whose approval has been revoked or suspended. The term for such approval shall not exceed two years. Not later than two business days after a change of address, any person approved as an instructor in accordance with this section shall notify the commissioner of such change and such notification shall include

Substitute House Bill No. 5219

both the old and new addresses.

(2) If a security officer training course described in this subsection is approved by the commissioner on or before September 30, 2008, the instructor of such course shall have until April 1, 2009, to apply for approval as an instructor in accordance with subdivision (1) of this subsection.

(3) Each person approved as an instructor in accordance with this section may apply for the renewal of such approval on a form approved by the commissioner, accompanied by a fee of forty dollars. Such form may require the disclosure of any information necessary for the commissioner to determine whether the instructor's suitability to serve as an instructor has changed since the issuance of the prior approval. The term of such renewed approval shall not exceed two years.

(c) Not later than two years after successful completion of the training required pursuant to subsection (b) of this section, or the waiver of such training, the applicant may submit an application for a license as a security officer on forms furnished by the commissioner and, under oath, shall give the applicant's name, address, date and place of birth, employment for the previous five years, experience in the position applied for, including military training and weapons qualifications, any convictions for violations of the law and such other information as the commissioner may require, by regulation, to properly investigate the character, competency and integrity of the applicant. The commissioner shall require any applicant for a license under this section to submit to state and national criminal history records checks conducted in accordance with section 29-17a. Each applicant shall submit with the application two sets of his or her fingerprints on forms specified and furnished by the commissioner, two full-face photographs, two inches wide by two inches high, taken not earlier than six months prior to the date of application, and a one-

Substitute House Bill No. 5219

hundred-dollar licensing fee, made payable to the state. Any applicant who received a waiver as provided in subsection (b) of this section shall be exempt from payment of such licensing fee. Subject to the provisions of section 46a-80, no person shall be approved for a license who has been convicted of a felony, any sexual offense or any crime involving moral turpitude, or who has been refused a license under the provisions of sections 29-161g to 29-161x, inclusive, for any reason except minimum experience, or whose license, having been granted, has been revoked or is under suspension. Upon being satisfied of the suitability of the applicant for licensure, the commissioner may license the applicant as a security officer. Such license shall be renewed every five years for a one-hundred-dollar fee. The commissioner shall send a notice of the expiration date of such license to the holder of such license, by first class mail, not less than ninety days before such expiration, and shall enclose with such notice an application for renewal. The security officer license shall be valid for a period of ninety days after its expiration date unless the license has been revoked or is under suspension pursuant to section 29-161v. An application for renewal filed with the commissioner after the expiration date shall be accompanied by a late fee of twenty-five dollars. The commissioner shall not renew any license that has been expired for more than ninety days.

(d) Upon the security officer's successful completion of training and licensing by the commissioner, or immediately upon hiring a licensed security officer, the security service employing such security officer shall apply to register such security officer with the commissioner on forms provided by the commissioner. Such application shall be accompanied by payment of a forty-dollar application fee payable to the state. The Division of State Police within the Department of Emergency Services and Public Protection shall keep on file the completed registration form and all related material. An identification card with the name, date of birth, address, full-face photograph,

Substitute House Bill No. 5219

physical descriptors and signature of the applicant shall be issued to the security officer, and shall be carried by the security officer at all times while performing the duties associated with the security officer's employment. Registered security officers, in the course of performing their duties, shall present such card for inspection upon the request of a law enforcement officer.

(e) The security service shall notify the commissioner not later than five days after the termination of employment of any registered employee.

(f) Any fee or portion of a fee paid pursuant to this section shall not be refundable.

(g) No person, firm or corporation shall employ or otherwise engage any person as a security officer, as defined in section 29-152u, unless such person (1) is a licensed security officer, or (2) meets the requirements of subsection (h) of this section.

(h) During the time that an application for a license as a security officer is pending with the commissioner, the applicant may perform the duties of security officer, provided (1) the security service employing the applicant conducts, or has a consumer reporting agency regulated under the federal Fair Credit Reporting Act conduct, a state and national criminal history records check and determines the applicant meets the requirements of subsection (c) of this section to be a security officer, and (2) the applicant (A) successfully completed the training required pursuant to subsection (b) of this section, or obtained a waiver of such training, and (B) performs the duties of a security officer under the direct on-site supervision of a licensed security officer with at least one year of experience as a licensed security officer. The applicant shall not perform such duties at a public or private preschool, elementary or secondary school or at a facility licensed and used exclusively as a child care center, as described in subdivision (1)

Substitute House Bill No. 5219

of subsection (a) of section 19a-77. The applicant shall cease to perform such duties pursuant to this subsection when the commissioner grants or denies the pending application for a security license under this section.

[(h)] (i) Any person, firm or corporation that violates any provision of subsection (b), (d), (e), [or] (g) or (h) of this section shall be fined seventy-five dollars for each offense. Each distinct violation of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.

Approved May 29, 2018